



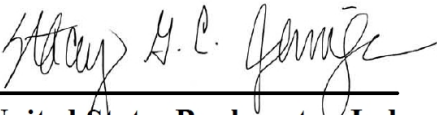
CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed October 3, 2023


United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,¹

Reorganized Debtor.

)
) Chapter 11
)
) Case No. 19-34054-sgj11
)
)
)
)

ORDER ON TRUSTEE'S MOTION TO BE INCLUDED IN MEDIATION

This matter having come before the Court on *Trustee's Motion to Be Included in Mediation* [Docket No. 3911] (the "Motion")² filed by Scott Seidel, as Chapter 7 trustee (the "Trustee") of the Highland Select Entities, pursuant to which the Trustee requested to be included in the Mediation ordered pursuant to this Court's Mediation Order; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding under 28 U.S.C. § 157(b)(2); and venue in this District being proper pursuant to

¹ Highland's last four digits of its taxpayer identification number are (8357). The headquarters and service address for Highland is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

² All capitalized terms used but not defined herein shall have the meanings given to them in the Motion.

28 U.S.C. §§ 1408 and 1408; and the Court having considered (a) *The Highland Parties' Response to Trustee's Motion to Be Included in Mediation* [Docket No. 3927]; (b) the *Response of Hunter Mountain Investment Trust, The Dugaboy Investment Trust, James D. Dondero, Strand Advisors, Inc., and Get Good Trust to Highland Select Trustee's Motion to Be Included in Mediation* [Docket No. 3930]; and (c) the arguments presented by counsel during the hearing conducted on October 2, 2023 (the "Hearing"); and adequate notice of the Motion having been given; and after due deliberation and good cause appearing therefore, it is hereby **ORDERED** that:

1. While the Court finds that the Trustee was discharging his fiduciary duties to Highland Select Equity Master Fund, L.P. and Highland Select Equity Fund GP, L.P. in filing his motion to be included in the mediation, the Motion is **DENIED** for the reasons set forth on the record during the Hearing.

2. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

END OF ORDER

In re:
Highland Capital Management, L.P.
Debtor

Case No. 19-34054-sgj
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0539-3
Date Rcvd: Oct 03, 2023

User: admin
Form ID: pdf012

Page 1 of 22
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 05, 2023:

NONE

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	Email/Text: scott@scottseidel.com	Oct 03 2023 21:27:00	Scott M. Seidel, Seidel Law Firm, 6505 W. Park Blvd., Suite 306, Plano, TX 75093-6212

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 05, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 3, 2023 at the address(es) listed below:

Name	Email Address
A. Lee Hogewood, III	on behalf of Interested Party NexPoint Real Estate Strategies Fund lee.hogewood@klgates.com matthew.houston@klgates.com;Sarah.bryant@klgates.com;Mary-Beth.pearson@klgates.com;litigation.docketing@klgates.com;Emily.mather@klgates.com;Artoush.varshosaz@klgates.com
A. Lee Hogewood, III	on behalf of Defendant NexPoint Advisors L.P. lee.hogewood@klgates.com, matthew.houston@klgates.com;Sarah.bryant@klgates.com;Mary-Beth.pearson@klgates.com;litigation.docketing@klgates.com;Emily.mather@klgates.com;Artoush.varshosaz@klgates.com
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District/off: 0539-3

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Page 2 of 22

Date Rcvd: Oct 03, 2023

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Page 3 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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Page 4 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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Page 5 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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Page 6 of 22

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District/off: 0539-3

User: admin

Page 7 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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District/off: 0539-3

User: admin

Page 8 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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District/off: 0539-3

User: admin

Page 9 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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District/off: 0539-3

User: admin

Page 10 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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District/off: 0539-3

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Page 11 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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Page 12 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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District/off: 0539-3

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Page 13 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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District/off: 0539-3

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Page 14 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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District/off: 0539-3

User: admin

Page 15 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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District/off: 0539-3

User: admin

Page 16 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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Page 17 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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District/off: 0539-3

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Page 18 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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Page 19 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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District/off: 0539-3

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Page 20 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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District/off: 0539-3

User: admin

Page 21 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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Page 22 of 22

Date Rcvd: Oct 03, 2023

Form ID: pdf012

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TOTAL: 492